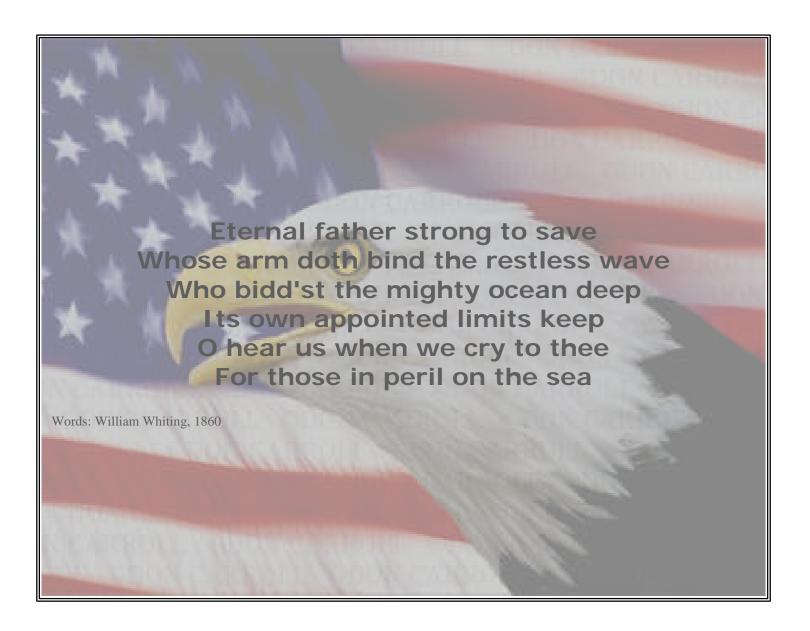
In memory of those who lost their lives on September 11, 2001

GOD BLESS AMERICA



We salute the service men and women who will be going into harms way to protect our nation



Treaty Times

October 2001



Volume III



Captain's Corner

The intense level of activity for NTIP has continued since our last newsletter. During July, we conducted Step Five of the exercise

with the Organization for the Prohibition of Chemical Weapons (OPCW), and in the same week, Sweden and Finland conducted a Joint Trial Flight under the Open Skies Treaty. Both events were extraordinary learning experiences for NTIP personnel that will help us to provide better support for Department of the Navy units affected by arms control verification activity or confidence building measures.

Although the exercise with the OPCW was conducted using a compressed timeline, it involved the full scope of activity by the International Inspection Team (IIT) that we might expect to encounter during a real Challenge Inspection. The most valuable lesson that we learned from this exercise was that despite our extensive prior planning, we have a long way to go before we are fully prepared to host a full-scale challenge inspection. Nevertheless, we gained valuable insight into the methodology that will be used by the OPCW to conduct a challenge inspection, and it is discussed in detail in this issue of *Treaty Times*.

The lessons learned from the Open Skies Joint Trial Flight were equally valuable. In all operational evolutions, effective communications are critical, and that proved to be the case during this observation flight. We anticipate that the Open Skies Treaty will enter into force in the second quarter of FY-02. When that

occurs, the operational tempo for observation flights over the U.S. should increase substantially. NTIP has developed an effective notification system to ensure that all affected Department of the Navy activities are aware of observation flights and are prepared for them to occur.

Frequently, we have been asked why NTIP persists in calling commands that do not respond to the notification messages informing them of Open Skies observation flights. The reason was demonstrated during this Joint Trial Flight. In accordance with the Open Skies Treaty, observation flights have priority, and we are required to either deconflict airspace so that the flight can proceed or propose an alternative mission plan. As this Joint Trial Flight approached restricted airspace controlled by the Navy, the air traffic controller was contacted to obtain permission for the aircraft to proceed. That permission was delayed because an Air Force unit using the airspace had not been notified of the Open Skies flight. The result was an alteration of the mission plan of the observation flight. Although there was no adverse consequence in this instance, the altered flight plan could have resulted in a diplomatic protest alleging non-compliance with the Treaty or overflight of unprepared facilities.

I appreciate your efforts to fully support our nation's arms control initiatives and look forward to continuing our efforts in support of you.

DON Supports U.S./OPCW Mock Challenge Inspection Exercise

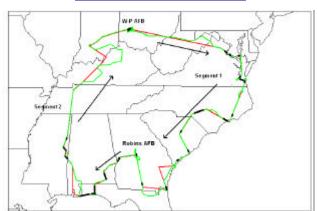
DON, in support of DoD, was a major participant in the planning and execution of the first joint U.S. – OPCW Chemical Weapons Convention (CWC) Mock Challenge Inspection Exercise at the Naval Surface Warfare Center, Indian Head Division, Indian Head, Maryland, during the week of July 23-27, 2001. Participants in the exercise included OPCW staff

members and a 10-man Inspection Team (IT) from The Hague, Service representatives from DoD, interagency members, and observers from six foreign countries. The objectives of the exercise were to improve DoD challenge inspection procedures and provide a more definitive understanding of OPCW inspection methodology. The scope and number of participants made this an unprecedented event in the U.S.'s efforts to prepare for an actual challenge inspection. Managed Access and Inspection Planning negotiations and

discussions were effectively dealt with via subgroups composed of facility personnel, DON representatives and Inspectors. The professionalism and expertise of facility personnel facilitated resolution of many contentious issues. This method of using subgroups to work out inspection related issues, i.e., inspection plan, interviews, documentation reviews, etc., was well received both by U.S. decision makers and the IT, positively influencing future decentralized negotiations. The exercises reinforced the need to continue to refine DoD policy and procedures used in the conduct of on-site inspections. A number of lessons learned from this exercise could directly affect any Naval facility subject to a CWC Challenge Inspection: (1) IT commencing or observing perimeter monitoring activities early; (2) Impact of an IT (10-50 members) on logistical resources of a facility; (3) Expectation of an IT regarding facility information as it is relevant to its Mandate; (4) Emphasis on cooperation by the inspected state party during the conduct of the inspection; and (5) IT receptiveness to collaborative inspection planning. Although the exercise gave valuable insight into the OPCW's conduct of a challenge inspection, the Navy methodology remains sound in terms of facilitating the inspection process and demonstrating compliance while protecting unrelated information and equities. Nonetheless, there is still work to be done in refining DoD policies and procedures.

If you have any questions please call 202-764-0910 (DSN 764), or e-mail: ntip_treaty@ssp.navy.mil.

Treaty on Open Skies



Sweden and Finland combined for a Joint Trial Flight over the United States in July. The United States received notification of intent to conduct the overflight on 13 July. The mission encompassed two legs that began on 25 July and ended on 26 July. The plane took off from Wright-Patterson AFB flew down the East Coast to Robins AFB and back to Wright Patterson AFB the next day. There were a few deviations due to

weather, but the sensors were turned off when the deviations exceeded the Treaty limits.

Notification. During each overflight there are a series of messages that NTIP sends to all facilities that are part of the Open Skies database. Each message is sent out Op-Immediate and requires confirmation of receipt. The Treaty Operations Center calls all facilities that do not respond to our message. It is essential that if you receive a message from NTIP, that you respond immediately. These messages provide important overflight information including the dates, the flight path and windows of vulnerability for facilities in the flight path. A stand down message is sent to those facilities not in the flight path. These messages will assist your facility in complying with the Treaty on Open Skies.

The overflight by the Czech/Slovak Republics in September has been indefinitely postponed. Bulgaria is tentatively scheduled to overfly us in October, but that flight may be postponed. Thus far, five flights have been flown over the U.S. in calendar year 2001.

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Biological Weapons Convention (BWC)

For the past six years, States Parties to the BWC, via an Ad Hoc Experts Group, have been developing and negotiating an "additional protocol" with the objective of strengthening the



effectiveness of the BWC. The protocol addresses areas such as mandatory declarations and on-site visits and investigations of military and private facilities. The target date to present the draft protocol for State Parties signature is during the special Conference of States Parties in November 2001. The U.S. announced at a July 2001 meeting of the Ad Hoc Experts Group negotiating the final text of the BWC verification protocol, that the U.S. would not support the protocol intended to strengthen the BWC because the current draft "would not improve our [US] ability to verify compliance with the treaty's global ban on biological weapons, and would put U.S. national security and confidential business information at risk." Additionally, the U.S. announced that it "would pursue alternative ways to enhance the BWC that do not pose risks to U.S. bio-warfare defense preparations, sensitive commercial information and multilateral export The DON is continuing to participate, regimes." through the U.S. interagency process, in the development of alternative measures to strengthen the

BWC and to ensure Navy defensive equities and national security information remain compliant with the purpose and objective of the BWC.

If you have any questions please call 202-764-0910 (DSN 764), or e-mail: ntip_treaty@ssp.navy.mil.

Emergent Treaties

Comprehensive Test Ban Treaty (CTBT)

The Bush Administration has maintained throughout the year that it will not ask the Senate to reconsider advice and consent to ratification of the Comprehensive Nuclear Test Ban Treaty (CTBT), which the Senate The administration has voted down in 1999. accordingly directed the U.S. delegation to the Provisional Technical Secretariat (PTS) of the CTBT Organization to halt all participation in On-Site Inspection negotiations and related activities, although the U.S. intends to continue its participation in the development of the International Monitoring System, including installation of component U.S. facilities. Additional developments concerning the U.S. position on the CTBT are expected in the coming months. In the mean time, the U.S. is preparing proposals that would reduce their scope and pace of PTS work, its staff and budget, and the number of PrepCom and Working Group meetings.

International Atomic Energy Agency (IAEA)

The U.S. Interagency continues to prepare for the submission of the Additional Protocol to the U.S.-IAEA Safeguards Agreement to the Senate for advise and consent on ratification. The Department of State has composed and submitted for DoD and Interagency concurrence a draft Article-by-Article analysis (AxA) of the Additional Protocol and a draft Presidential Letter of Transmittal of the Additional Protocol to the Senate. The AxA provides a U.S. interpretation of the Additional Protocol and discusses the potential implications and impacts for U.S. equities. If the Interagency concurs with the final drafts of the AxA and the Letter of Transmittal, they will be sent concurrently when the Additional Protocol and the implementing legislation are submitted to the U.S. Senate for approval.

Convention on Certain Conventional Weapons (CCCW)

2001 has seen a pair of important developments concerning conventional weapons. In July, the Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects convened in New York City. The Conference produced a program of action designed to aid states in combating the illicit trade of small arms and light weapons. This non-binding program includes provisions encouraging States to take steps to improve the tracking of small



arms, including improved markings procedures for and monitoring sales, as well as encouragement for tightening regulations on arms brokers, small arms imports and exports, and penalties for illegal manufacture, possession, and trade

of small arms. In addition, the U.S. firmly and successfully opposed the inclusion in the Program of Action of any language concerning civilian possession of small arms or the prohibition of the transfer of small arms to non-state actors.

In December, a review conference for the Convention on Certain Conventional Weapons will convene. The U.S. has participated actively in the associated preparatory sessions, and has offered a number of proposals. One such proposal is a joint U.S.-Danish offering that would require states parties to construct non-antipersonnel landmines (anti-vehicle specifically) such that they would be detectable by commonly available means, much like the current CCCW restrictions on APL. The proposal would also require that non-APL be equipped with self-destruction and self-deactivation (SD/SDA) features. Other U.S. proposals include the expansion of the scope of the CCCW to include domestic as well as international armed conflicts, and a compliance mechanism to address the misuse of mines, booby traps, and related devices.

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The Legal Corner

The Proliferation of Arms Control Agreements and Their Impact on Programs and Operations



Recently, I was asked what were the arms control agreements that we look at in doing our compliance reviews. It is a good question because when one looks at all the agreements currently in force and those

being proposed or negotiated, it is easier to understand and appreciate why the Department of the Navy created the Naval Treaty Implementation Program (NTIP). Program analysts are trained and tasked to examine any activity that may be impacted by one or more of these agreements with the primary goals of (1) protecting national security information, (2) ensuring operational readiness, (3) supporting our acquisition programs, and (4) protecting current weapons systems.

In order to appreciate the number, scope and nature of agreements that are or could be considered arms control/limitation agreements, below is a listing of current and potential arms control agreements arranged by category.

Nuclear/Strategic Agreements

- Non-Proliferation Treaty
- Strategic Arms Limitation Treaty (SALT I)
- Strategic Arms Reduction Treaty I (START I)
- Strategic Arms Reduction Treaty II (START II)
- Intermediate-Range Nuclear Forces Treaty
- Nuclear Material Convention
- Nuclear Risk Reduction Centers Agreement
- Accidents Measures Agreement
- Safety, Security and Dismantlement Talks (Former Soviet Union Initiatives) (Politically and Legally binding)
 - ✓ Cessation of Production of Plutonium Agreement
 - ✓ Plutonium Disposition Agreement
 - ✓ HEU Purchase Agreement
 - Scientific and Technical Cooperation Agreements
- Hot Line Agreements
- The Antarctic Treaty
- The African Nuclear-Weapon-Free Zone Treaty
- South Pacific Nuclear Free Zone Treaty
- Latin American Nuclear-Weapon-Free Zone Treaty
- Limited Test Ban Treaty
- Outer Space Treaty
- Peaceful Nuclear Explosions Treaty (Signed not ratified)
- U.S.-IAEA Safeguards Agreement
- Additional Protocol to the US-IAEA Safeguards Agreement
- Prevention of Nuclear War Agreement
- Seabed Arms Control Treaty
- Threshold Test Ban Treaty (Signed not ratified)

Ballistic Missile Agreements

- Anti-Ballistic Missile Treaty
- Ballistic Missile Launch Notification Agreement
- Pre and Post Launch Notification Agreement

Biological/Chemical Agreements

- Geneva Protocol (Banning use of poisonous gases and biological weapons)
- Biological Weapons Convention
- Chemical Weapons Convention
- Wyoming MOU (Politically Binding)
- Tri-Lateral (Russia, UK, USA) MOA (Politically Binding)

Conventional Arms/Operation Limitations Agreements

- Certain Conventional Weapons Convention (limits or bans a range of weapons such as landmines, incendiaries, lasers)
- Conventional Armed Forces in Europe Treaty (CFE)
- CFE 1A (Politically Binding)
- Vienna Document 1994 (updated 1999) (Politically Binding)
- Charter of Paris for a New Europe (Creation of OSCE)
- Open Skies Treaty
- Inter-American Convention on Transparency in Conventional Weapons Acquisition (Signed not ratified)
- Environmental Modification Convention
- Incidents at Sea Agreement
- Confidence- and Security-Building Measures (CSBMS) (Politically Binding)
 - ✓ Transparency in Armaments (TIA)
 - ✓ Global Exchange of Military Information (GEMI)

Export Control Agreements (All Politically Binding)

- Missile Technology Control Regime (MTCR) Guidelines
- Wassenaar Arrangement
- Nuclear Suppliers Group
- Zangger Group Guidelines (Nuclear materials)
- Australia Group Guidelines (Chemical precursors/ bio agents)

These agreements potentially impact on the full range of military activities. They impose restrictions, limitations or bans on numbers, types and performance characteristics of weapon systems, and the numerical strength, organization, equipment, deployment, or employment of our forces. In addition to these agreements, the United States is currently considering or has previously considered entering into, participating in or negotiating, a number of other arms control/limitation agreements, to include:

 The Comprehensive Test Ban Treaty (CTBT) (signed, rejected by Senate)

- The Fissile Material Cut-off Treaty (FMCT)
- START III
- The Biological Warfare Convention Protocol
- Global Action Plan to Stop Missile Proliferation
- Southeast Asian Nuclear Weapons Free Zone
- Tri-lateral Initiative (Russia, US, IAEA)
- Small Arms/Light Weapons (SA/LW) Negotiations
- New conventional weapons protocols (cluster munitions, unexploded ordnance, fuel air explosives, naval sea mines) to the Certain Conventional Weapons Convention
- Convention on Information Warfare

Some of these agreements (such as START III) have little chance of being negotiated under the current administration, but it remains extremely important to have naval equities protected by having departmental representation during the development of the Government's policy decisions on whether or not to support any of these agreements. In fact, one of the important benefits of having NTIP review programs and other activities that may be impacted by these agreements is to ensure that they do not become a casualty of some new and unexpected arms or operational limitation agreement.

Significantly, once a treaty is ratified it becomes the law of the land, second only to the United States Constitution. Executive agreements are also legally binding international agreements, and as such, have full legal force and effect. Even agreements that are only "political" agreements can have legal effect through the issuance of DoD regulations and policy. And as we have discussed in previous editions of Treaty Times, all of these arms control agreements can have significant impacts on operations and operational readiness in addition to our acquisition programs. That is why it is vitally important that legal advisors (both uniformed and civilian) understand the importance of arms control compliance and develop some familiarity with these agreements in order to spot a potential compliance issue when it arises.

If you have any questions please call 202-764-0910 (DSN 764), or e-mail: ntip_treaty@ssp.navy.mil.

Acquisition Programs "REQUIRE" Arms Control Treaty Compliance Certification

5000 series of Department of Defense (DoD) Directives and Secretary of the Navy (SECNAV) instructions require both arms control compliance and legal reviews of Department of the Navy (DON) acquisition programs prior to major milestones decisions.

The Assistant Secretary of the Navy for Research, Development and Acquisition (ASN(RDA)) delegated the task of conducting the arms control compliance reviews to Director, Strategic Systems Programs (DIRSSP). DIRSSP administers this program through the Naval Treaty Implementation Program (NTIP) (see enclosure). To this end, NTIP endeavors to reach out to acquisition managers in a timely manner to obtain existing program documentation with which to conduct an arms control treaty compliance review and as expeditiously as possible provide certification prior to the next major milestone review.

We are striving to improve our "outreach" methodology and reduce the burden on acquisition managers. The Naval Sea Systems Command, Acquisition Support Office (NAVSEA-ASO), is assisting us in this effort by providing the necessary acquisition documentation to perform compliance reviews without adding to the acquisition managers workload and ensuring that arms control treaty certifications are provided prior to major milestone reviews.

If your organization has a central repository for existing acquisition documents (e.g. ORD, MNS, and TEMP) or if you know of a central location where these documents can be obtained, it would be extremely helpful in minimizing impact and facilitating the review process. Please contact our Outreach Coordinator, at 202-764-0910 (DSN 764), or email at ntip treaty@ssp.navy.mil.



Thanks to the swift cooperation of Program Managers, the following DON acquisition programs have been certified arms control treaty compliant since 1 June 2001. They are AN/AYK-14, F/A-18 APG-73 Radar Upgrade Phase II, Joint Standoff Weapon, Joint

Service Aircrew Low Energy Multiple Wavelength Advanced Laser Eye Protection Visor, Joint Standoff Weapon (BLU-108 Submunition), and Joint Standoff Weapon (Unitary), SARTIS Rapid Development Capability AN/UPM-155, Vandal

Extended Extended Range Target, and Evolved Sea Sparrow Missile.

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The Treaty Information Management System (TIMS)



The Treaty Information Management System (TIMS) is one of the tools used to support the Open Skies Treaty (OS) and Chemical Weapons the Convention (CWC). TIMS Geographical combines a Information System (GIS)

software package called MapInfo, digitized maps, a database, and a naval message generator (MTF). The GIS attaches database information to a geographic position and feature. TIMS is currently comprised of three integrated applications, two to support the Chemical Weapons Convention and another to support the Open Skies Treaty.

The CWC permits participating countries to request intrusive challenge inspections of any facility, at any time. The Treaty Information Management System -Chemical Weapons Convention (TIMS-CWC) allows the DON to notify an affected facility of a pending inspection. It also links specific DON facility data (e.g., building numbers, building functions, etc.) to detailed digital maps of the facility (e.g., buildings, roads, airfields, fences, etc.). TIMS allows DON planners to manage and monitor the inspection, showing compliance under the CWC while minimizing disruption to the facility. The heart of the system is the data, which consists of general facility information including points-of-contacts with phone and fax numbers. detailed facility maps and building information, such as building points-of-contacts and their phone numbers. To maintain this information, data calls are conducted during the year either by telephone or visits. Maps for facilities are updated either on a yearly or bi-yearly cycle. Building information associated with the facility maps are updated by the TIMS team upon arrival in the event of a challenge inspection. The database information consisting of facility points-of-contacts, phone numbers and Plain Language Address information used for notifying the facilities are updated more frequently.

The OS Treaty allows any state party to overfly any other state party after a minimum advanced notice of 72 hours. The resulting imagery is then available to all signatories. The Treaty Information Management System – Open Skies (TIMS-OS) allows DON planners

to input the intended OS overflight mission, plot the mission path, identify the activities within the aircraft's sensor swath, and generate Message Text Formatted (MTF) messages to notify affected activities of the approximate time of their vulnerability. We maintain two databases for Open Skies notification, one for facilities requiring notification and the second for notifying Special Use Airspace (SUA) coordinators. The facility database contains data such as facility name and address; commanding officer's name, phone and fax information; a treaty point-of-contact's name, phone and fax information; and the Plain Language Address for the facility. MapInfo software allows us to attach the facility data to a map object representing the site boundary of the facility in its geographic location so that if any portion of the facility is vulnerable, TIMS will identify it and generate a message to notify the facility. We also maintain a database for notifying coordinators of SUA used by the Navy and Marine Corps. TIMS treats SUAs like very large facilities. The SUA database includes information such as the SUA name; regional coordinator; point-of-contact, phone and fax numbers; and the Plain Language Address of the organization to notify for that airspace.

The success of TIMS and our ability to notify facilities is dependent upon the quality of information maintained in the databases. For that reason, we conduct data calls frequently during the year. However, your assistance is always welcomed. If you are aware of any changes in your facility's status, personnel, their phone numbers or fax numbers, please contact our office at 202-764-0910 (DSN 764), or e-mail ntip_treaty@ssp.navy.mil.

Fleet Liaison



Open Skies Action Officer Training.

As part of our out-reach program, NTIP has designed training for those personnel responsible for responding to Open Skies overflight notifications and as well as those who evaluate command impacts.

Training is provided to command duty officers, operations officers, range officers, program managers, and security personnel. There are also Train-the-Trainer sessions designed to permit the command to maintain Treaty awareness and train new personnel. Open Skies Action Officer training can be brought to

you in person or via video teleconferencing. Questions regarding Open Skies Action Officer training should be directed to 202-764-0910 (DSN 764), or e-mail: ntip-treaty@ssp.navy.mil.

Arms Control Seminars.

Seminars are in the planning stages for 2001/2002; however, exact locations have yet to be determined. If you are interested in having a treaty awareness seminar at your location, please contact 202-764-0910 (DSN 764), or e-mail: ntip_treaty@ssp.navy.mil.

Further Reading



Defense Department Report: Crouch on Missile Defense

U.S. supports nuclear weapons reductions

http://usinfo.state.gov/topical/pol/arms/

stories/01082801.htm The United States will continue to support the current nuclear weapons reduction regimes, which play an important role in the U.S.-Russian strategic relationship.

U.S. Says Biological Weapons Protocol Would "Not Achieve its Objectives"

Would put both national security and confidential business information at risk

http://usinfo.state.gov/topical/pol/arms/stories/0107250
1.htm The U.S. says it cannot support a draft protocol intended to strengthen the Biological Weapons Convention (BWC) because it would "not improve our ability to verify compliance" with the treaty's global ban on biological weapons and "would put national security and confidential business information at risk."

Websites

The appearance of hyperlinks in this newsletter does not constitute endorsement by the Department of the Navy (DON) of the web sites or the information, products or

services contained therein and DON does not exercise any editorial control over the information you may find at these locations.

The CBW Conventions Bulletin: News, Background, and Comments on Chemical and Biological Weapons Issues: fas-www.harvard.edu/~hsp/pdf.html

The Institute for Defense and Disarmament Studies www.idds.org/

Department of Energy National Nuclear Security Administration

www.nnsa.doe.gov/

Congressional Research Service

www.fas.org/man/crs

Chemical and Biological Arms Control Institute www.cbaci.org/

Department of State, International Information Programs

http://usinfo.state.gov/homepage.htm

Acronym List

CI - Counterintelligence

TIA-Transparency in Armaments

GEMI-Global Exchange of Military Information

PTS - Provisional Technical Secretariat

AxA – Article by Article



E-mail Addresses

In order to e-mail you and your command this newsletter and other pertinent information regarding treaty compliance and implementation, please our office with the following information:

- Command Name
- Official Command E-mail Address
- Commanding Officer Name
- Commanding Officer Phone Number
- Treaty Point-of-Contact (POC) Name
- POC Official Business E-mail Address
- POC Phone Number

You can also contact us at 202-764-0910 (DSN 764), email ntip_treaty@ssp.navy.mil, or fax 202-764-0918.

Feedback



How are we doing? Is there something you would like to see in the next issue? We appreciate any comments or suggestions you may have. Please address all questions, comments, or concerns to:

E-Mail: ntip_treaty@ssp.navy.mil

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